

REMARKS

Original claims 3, 12, 16 and 25 were indicated to be allowable if rewritten in independent form, which has been done by the above amendments to these four claims. Thus, Claims 3, 12, 16 and 25 should be allowable as now amended.

Original claims 1-2, 10-11, 14-15 and 23-24 were rejected under 35 U.S.C. § 102(e) on the basis of the Zoller U.S. Patent No. 6,805,460. The only independent claims in this group are claims 1 and 14. Claims 10 and 23 have been canceled.

The Zoller patent teaches attaching the light unit to a dog's collar so that the unit effectively becomes a part of the collar. When a dog is walking, the outer surface of that portion of the most forward portion of the collar (closest to the dog's snout) faces downwardly, so that most of the light from the source on the collar is directed onto the ground beneath the dog's snout, not well out in front of the dog. If the collar light is angled upwardly, a significant portion of the light is blocked by the dog's snout. Collar lights are also easily blocked by the dog's fur, especially with long-haired dogs. Also, in most cases a dog's collar is attached to a leash, which rotates the collar to different positions around the dog's neck as the leash is manipulated to control the dog, which causes the light source on the collar to be directed in a variety of different azimuthal directions.

Certain embodiments of applicant's invention locate the light source below the collar and direct the light forwardly from a location below the dog's snout. As a result, light is transmitted well out in front of the dog to provide illumination of the area many feet in front of the dog. In preferred embodiments, multiple light sources are used, and the outboard source(s) is directed slightly laterally away from the dog's snout to provide even more illumination of the area well forward of the dog. A sample of applicant's actual product is attached hereto so that the Examiner can appreciate the significance of the features mentioned above, and in the claims discussed below.

Independent claim 1 has been amended to require that the housing be "attached to the neck of said dog by a band from which said housing is suspended, so that said light source is located substantially below the snout of said dog, so as to minimize blockage of light by the dog's snout." Independent claim 14 has been similarly amended to require that the housing be "suspended from said band so that said light source is located substantially below the snout of said dog, so as to minimize blockage of light by the dog's snout." There is no such feature mentioned anywhere in the Zoller patent, and no such suspension is possible with the structure

described in the Zoller patent. Nor would there be any need for any such suspension to follow the teachings of the Zoller patent.

New claims 27 and 28 require a pivotable attachment device that permits the housing to be tilted so that the elevation angle of the light beam emitted by the light source may be adjusted to optimize the direction of the light beam for different types of dogs. Specifically, these claims require an attachment device that has "a first portion adapted to be attached to said band and a second portion attached to said housing, said first and second portions being pivotally connected to each other to permit adjustment of the elevation angle of the light beam emitted by said light source in said housing." There is no such device mentioned anywhere in the Zoller patent, and no such adjustment is possible with the structure described in the Zoller patent. Nor would there be any need for any such adjustment to follow the teachings of the Zoller patent.

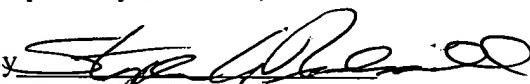
New claims 29 and 30 require that the housing for the light source be protected by a fur or hair guard that prevents the dog's fur from extending downwardly over the light source. Zoller discloses no such feature. Here again, there is no such feature mentioned anywhere in the Zoller patent, and the structure described in the Zoller patent would not provide any such hair guard. Nor would there be any need for this feature to follow the teachings of the Zoller patent.

In view of the above amendments, it is respectfully submitted that this application is now in condition for allowance.

The required fee for the new claims is submitted herewith. Should any additional fees be required (except for payment of the issue fee), the Commissioner is authorized to deduct the fees from Jenkens & Gilchrist, P.C. Deposit Account No. 10-0447, Order No. 64682-00002USPT.

Dated: January 19, 2005

Respectfully submitted,

By 
Stephen G. Rudisill
Registration No.: 20,087
JENKENS & GILCHRIST, A PROFESSIONAL
CORPORATION
225 W. Washington, Ste. 2600
Chicago, Illinois 60606-3418
(312) 425-3900
Attorneys For Applicant